

## REMARKS

### I. STATUS OF THE CLAIMS

Claims 1-3 and 5-27 are currently pending.

### II. REJECTION OF CLAIM 1-4, 8-9, 11-15 AND 19-27 UNDER 35 USC 102(B) AS BEING ANTICIPATED BY WRIGHT

Claim 1 recites that the optical source is capable of transmitting light signals at one or more of a plurality of different wavelengths, each optical network unit is preconfigured to accept a predetermined subset of more than one of said wavelengths, and each wavelength of said plurality is accepted by a predetermined different subset of optical network units.

In Wright, optical network units (ONUs) are not *preconfigured* to accept a predetermined subset of wavelengths. Instead, in Wright, optical network units must be tuned to accept a particular wavelength under control of optical line termination (OLT) device 12. See, for example, the Abstract, and column 8, lines 44-58, of Wright.

More specifically, when a wavelength of a transmitted light is changed, Wright requires control signals to be sent from the OLT device 12 to the ONUs, where the control signals indicate wavelengths of transmitted light signals to be accepted by the optical network unit. See, for example, the Abstract; and column 2, lines 26-30, of Wright. In fact, from the Examiner comments on page 12, lines 1-2 of the outstanding Office Action, it is respectfully submitted that the Examiner would agree that Wright requires such control signals to be sent to the ONUs.

Therefore, Wright is similar to the prior art disclosed on page 3, line 27, through page 4, line 12, of the specification of the present application. As disclosed in this portion of the specification of the present application, such operation of the prior art causes a build up of traffic and a corresponding increase in delay.

To more clearly distinguish over Wright, claim 1 is amended to recite that each optical network unit is preconfigured to accept a predetermined subset of more than one of said wavelengths *without receiving a control signal indicating a wavelength of a light signal transmitted by said optical source to be accepted by the optical network unit*. Moreover, claim 1 is amended to recite that *the requested bandwidth redistribution is thereby effected without sending control signals to, and receiving control signals by, the optical network units indicating wavelengths of light signals transmitted by said optical source to be accepted by the optical network units*. Similar amendments are made to the other independent claims.

Support for the amendments is found, for example, on page 3, line 27, through page 4, line 12; and page 9, line 15, through page 10, line 21, of the specification. For example, page 3, line 27, through page 4, line 12, of the specification, clearly indicates that a problem with the prior art is the above-described control signals must be sent, and that the present invention is

directed to solving this problem. Moreover, as can be seen from the embodiment of the present invention on page 9, line 15, through page 10, line 21, of the specification, each optical network unit is preconfigured to accept a predetermined subset of more than one of the wavelengths without receiving a control signal indicating a wavelength of a transmitted light signal to be accepted by the optical network unit.

In view of the above, it is respectfully submitted that the rejection is overcome.

**III. REJECTION OF CLAIMS 1-7, 13-15 AND 19-27 UNDER 35 USC 102(B) AS BEING ANTICIPATED BY DARCIE**

Claim 1 recites that the optical source is capable of transmitting light signals at one or more of a plurality of different wavelengths, each optical network unit is preconfigured to accept a predetermined subset of more than one of said wavelengths, and each wavelength of said plurality is accepted by a predetermined different subset of optical network units.

In Darcie, as shown in FIG. 1 of Darcie, each ONU accepts a single fixed wavelength. Darcie is similar to the prior art disclosed in FIG. 1C of the present application.

Darcie does not disclose or suggest that a requested bandwidth redistribution is effected in the manner recited, for example, in the amended claim 1.

On page 12 of the outstanding Office Action, the Examiner refers to column 5, lines 31-43, of Darcie. This portion of Darcie indicates that, in some embodiments of Darcie, an ONU can accept multiple wavelengths. This portion of Darcie indicates that details of such operation are disclosed in co-pending US Application Serial No. 08/366,849, which later issued as US Patent No. 5,680,234. See, for example, column 5, line 36, of Darcie, which refers to "Darcie 14-10-3", and column 2, lines 16-19, of Darcie, indicating that "Darcie 14-10-3" refers to US Application Serial No. 08/366,849.

In US Patent No. 5,680,234, the wavelengths received by the ONUs are fixed. US Patent No. 5,680,234 does not disclose or suggest that a requested bandwidth redistribution is effected in the manner recited, for example, in the amended claim 1.

In view of the above, it is respectfully submitted that the rejection is overcome.

**IV. REJECTION OF CLAIMS 1-3, 5, 8, 10-11, 13, 15-16 AND 18-27 UNDER 35 USC 102(B) AS BEING ANTICIPATED BY CHAWKI IN VIEW OF DARCIE**

The above comments for distinguishing over Darcie also apply here, where appropriate.

Claim 1 recites that the optical source is capable of transmitting light signals at one or more of a plurality of different wavelengths, each optical network unit is preconfigured to accept a predetermined subset of more than one of said wavelengths, and each wavelength of said plurality is accepted by a predetermined different subset of optical network units.

In Chawki, optical network units (ONUs) are not *preconfigured* to accept a predetermined subset of wavelengths. Instead, in Chawki, ONU's (secondary stations Si) must be tuned to accept a chosen wavelength in accordance with a signal sent by a central station. See, for example, the Abstract, and column 3, lines 14-24, of Chawki.

Chawki is similar to the prior art disclosed on page 3, line 27, through page 4, line 12, of the specification of the present application. As disclosed in this portion of the specification of the present application, such operation of the prior art causes a build up of traffic and a corresponding increase in delay.

To more clearly distinguish over Chawki, claim 1 is amended to recite that each optical network unit is preconfigured to accept a predetermined subset of more than one of said wavelengths *without receiving a control signal indicating a wavelength of a light signal transmitted by said optical source to be accepted by the optical network unit*. Moreover, claim 1 is amended to recite that *the requested bandwidth redistribution is thereby effected without sending control signals to, and receiving control signals by, the optical network units indicating wavelengths of light signals transmitted by said optical source to be accepted by the optical network units*. Similar amendments are made to the other independent claims.

Support for the amendments is found, for example, on page 3, line 27, through page 4, line 12; and page 9, line 15, through page 10, line 21, of the specification. For example, page 3, line 27, through page 4, line 12, of the specification, clearly indicates that a problem with the prior art is the above-described control signals must be sent, and that the present invention is directed to solving this problem. Moreover, as can be seen from the embodiment of the present invention on page 9, line 15, through page 10, line 21, of the specification, each optical network unit is preconfigured to accept a predetermined subset of more than one of the wavelengths without receiving a control signal indicating a wavelength of a transmitted light signal to be accepted by the optical network unit.

In view of the above, it is respectfully submitted that the rejection is overcome.

V. REJECTION OF CLAIM 17 UNDER 35 USC 103 AS BEING UNPATENTABLE  
OVER CHAWKI IN VIEW OF DARCIE AND FURTHER IN VIEW OF ASANO

The above comments for distinguishing over Chawki and Darcie also apply here, where appropriate.

In view of the above, it is respectfully submitted that the rejection is overcome.

VI. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required in connection with the filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

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